

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

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JEROME L. GRIMES,

Plaintiff,

v.

SHERRI GIGER, *et al.*,

Defendant.

Case No. 3:23-cv-00179-MMD-CSD

ORDER

Pro se Plaintiff Jerome L. Grimes filed an application to proceed *in forma pauperis* (“IFP”) and a *pro se* complaint. (ECF Nos. 1, 1-1.) Before the Court is the Report and Recommendation (“R&R”) of United States Magistrate Judge Craig S. Denney (ECF No. 4), recommending that the Court dismiss this action (ECF No. 1-1) without prejudice for improper venue and deny Plaintiff’s application to proceed *in forma pauperis* (“IFP”) (ECF No. 1) without prejudice. Plaintiff had until August 17, 2023, to file an objection. (ECF No. 4 at 2.) To date, Plaintiff has not filed an objection to the R&R. For this reason, and as explained below, the Court adopts the R&R, and will dismiss this action and deny Plaintiff’s IFP application without prejudice.

Because there is no objection, the Court need not conduct *de novo* review, and is satisfied that Judge Denney did not clearly err. *See United States v. Reyna-Tapia*, 328 F.3d 1114, 1116 (9th Cir. 2003) (“De novo review of the magistrate judges’ findings and recommendations is required if, but *only* if, one or both parties file objections to the findings and recommendations.”).

Judge Deney recommends dismissing this action without prejudice because venue is improper, as all defendants reside in Colorado and the events giving rise to Plaintiff’s claims occurred in Colorado. (ECF Nos. 1-1 at 2-5, 4 at 1-2.) The Court agrees with Judge Denney. Having reviewed the R&R and the record in this case, the Court will adopt the

1 R&R in full.

2 It is therefore ordered that Judge Denney's Report and Recommendation (ECF
3 No. 4) is accepted and adopted in full.

4 It is further ordered that this action (ECF No. 1-1) is dismissed without prejudice.

5 It is further ordered that Plaintiff's IFP application (ECF No. 1) is dismissed without
6 prejudice.

7 It is further ordered that the Clerk of Court enter judgment accordingly and close
8 this case.

9 DATED THIS 5th Day of September 2023.

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12 MIRANDA M. DU
13 CHIEF UNITED STATES DISTRICT JUDGE
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